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**OFFICE OF PETITIONS**

In re Application of  
Kuschke, et al.  
Application No. 09/095,397  
Filed: June 10, 1998  
Attorney Docket No. 233

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed September 24, 2001, to revive the above-identified application.

The petition is **GRANTED**.

The above-cited application became abandoned for failure to timely file a reply to the non-final Office action mailed September 22, 2000, which set a shortened statutory period for reply of three (3) months. Petitioner obtained a three month extension of time to reply to the Office action and on March 21, 2001, petitioner filed a Request for Continued Prosecution application ("RCE"). On May 3, 2001, a notice was mailed to petitioner advising that the RCE was improper and would not be entered. No further response were received within the allowable period. The application, therefore, became abandoned on March 23, 2001. A Notice of Abandonment was mailed on May 21, 2001.

The application is being forwarded to Technology Center 3600 for review of the Amendment filed on September 24, 2001.

Telephone inquiries concerning this decision should be directed to Kenya A. McLaughlin, Petitions Attorney, at (703) 305-0010.

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for Patent Examination Policy